

Oakwood, Dayton, Ohio

September 4, 2013

The planning commission of the city of Oakwood, state of Ohio, met this date in the council chambers of the city of Oakwood, city building, 30 Park Ave., Dayton, Ohio, 45419, at 4:30 p.m.

The Vice Chair, Mr. Andrew Aidt, presided and the Acting Clerk, Mrs. Sherri Laidler, recorded.

Upon call of the roll, the following members responded to their names:

- MR. JEFFREY B. SHULMAN.....ABSENT
- MR. ANDREW AIDTPRESENT
- MRS. HARRISON GOWDYPRESENT
- MRS. E. HEALY JACKSONPRESENT
- MR. STEVE BYINGTONPRESENT

Officers of the city present were the following:

- Mr. Norbert S. Klopsch, City Manager
- Mr. Robert F. Jacques, City Attorney
- Mr. Jay A. Weiskircher, Assistant City Manager
- Mr. Dave Bunting, City Inspector
- Mrs. Sherri Laidler, Acting Clerk

The following visitors were present:

- Jonathan Schaaf 7945 Washington Woods Drive
- Jeff Kash 362 Huffman Avenue
- Melissa DeHart 6135 Far Hills Avenue
- Tom Swing 2710 Far Hills Avenue (Dorothy Lane Market)
- Jerry Post 2710 Far Hills Avenue
- Norman Mayne 2710 Far Hills Avenue
- Jack Froehlich 230 Schenck Avenue
- Yvonne Froehlich 230 Schenck Avenue
- Sheila Conard 416 Irving Avenue
- Robert Conard 416 Irving Avenue

Mr. Aidt opened the meeting promptly at 4:30 p.m. and the members excused Mr. Shulman’s absence.

It was moved by Mrs. Jackson and seconded by Mrs. Gowdy that the minutes of the planning commission meeting held July 17, 2013, be approved as submitted and the reading thereof be dispensed with at this session. Upon a viva voce vote on the question of the motion, the same passed unanimously and it was so ordered.

Mr. Aidt reviewed the meeting procedure with all in attendance.

Application #13-4, Mr. Weiskircher explained that this application involves an addition to the rear of the Dorothy Lane Market building. He then referenced a PowerPoint presentation in which he explained that the purpose of the proposed rear addition is for cart storage, a fresh produce display and a Boston Stoker coffee bar. In addition, he explained that the former Boston Stoker space at the market will be converted to an area for pizza and sandwich preparation. A drive-thru window will be added for the exclusive use of Boston Stoker customers with operating hours from 7:00 a.m. until 9:00 p.m. Another enhancement would be a clear garage door which will be opened during the summer for display of fresh produce. This proposed addition will result in the loss of two (2) parking spaces in the Dorothy Lane Market lot and one (1) parking space in the PNC Bank parking lot. To assist with traffic flow, the access lane along the south

side of Dorothy Lane Market would be converted to one-way eastbound.

Mr. Aidt inquired about the number of required parking spaces for Dorothy Lane Market and PNC Bank to which Mr. Weiskircher replied that between the two properties there is actually an excess of 17 spaces.

Mr. Aidt then invited the applicant to address the Planning Commission. Mr. Jonathan Schaaf, RDA Group Architects, approached and explained that Dorothy Lane Market's goal with this application is to enhance the customer experience at the market by enhancing the entranceway. As the architect, he has tried to work with what is already in place with minimal changes. He also reassured the Planning Commission that Mr. Mayne has worked with PNC Bank regarding the parking situation and has secured their written approval.

Mr. Aidt then asked two questions: 1) Will there be seating in the proposed addition? Mr. Schaaf replied that seating has not been addressed. 2) How wide is the area where the parking spaces will be lost? Mr. Schaaf answered that the loss in space is the width of two vehicles.

The matter was then opened for public hearing.

Mr. Norman Mayne, CEO of Dorothy Lane Market, approached and simply asked Mr. Weiskircher to confirm the operating hours of the drive-thru window. Mr. Weiskircher stated that the hours would be limited to 7:00 a.m. – 9:00 p.m.

Mrs. Jackson asked Mr. Mayne about the amount of traffic projected with the new drive-thru window, to which Mr. Mayne replied that he was not sure. Mr. Aidt asked if there would be a call box and Mr. Mayne answered that a call box has not been addressed yet. Mrs. Gowdy noted that there is already a call box at the bank and that did not cause any problems.

The public hearing was then closed and the Planning Commission discussed the issue. Mrs. Jackson wondered about seating. Mr. Aidt asked Mr. Weiskircher if it would change anything if seating was added. Mr. Weiskircher replied that this proposed addition is not set-up for seating. Mrs. Gowdy reiterated that this proposal is only for a new entrance. Mrs. Gowdy also noted that Dorothy Lane Market has always done a nice job and expected that this proposal would be a welcome enhancement. Mr. Byington asked if the existing HVAC systems would adequately serve the addition and if anything would be installed to protect the corner of the building. Mr. Schaaf responded that the existing HVAC is probably sufficient, but if not, a small rooftop unit could be added and that it would be properly screened. He added that it probably makes sense to install a bollard to protect the corner of the building.

As this is not a special use request, the following factors will be used to evaluate the application:

- A. Conformance with Ordinances – The application must comply with the provisions of this Ordinance and other Ordinances of the city and any other applicable laws.

PRELIMINARY STAFF FINDINGS: As already mentioned, the building is non-conforming so any expansion, or increase in bulk, requires Planning Commission approval.

Although DLM only has about half the on-site parking required by the zoning code, with the available spaces in the lot behind PNC bank, as well as the 18 spaces along the cruise lane at the front of the store, except during peak holiday periods, there is adequate parking available to serve its customers.

PLANNING COMMISSION FINDINGS: SUSTAINED

- B. Comprehensive Plan – The plan must be in reasonable conformity with the Comprehensive Plan and any specific recommendations associated, or related to the subject property.

PRELIMINARY STAFF FINDINGS: The proposed addition is consistent with the Comprehensive Plan objectives that: 1) expansion of existing businesses be compatible with the surrounding area; 2) rear entrances to businesses should be encouraged where public parking is located behind the building; and, 3) commercial uses should continue to be strongly oriented to community needs.

PLANNING COMMISSION FINDINGS: SUSTAINED

- C. Land Use Compatibility and Integration – The overall design integrates neighborhood and site characteristics into a compatible expression of building mass, building scale, circulation and site improvement.

PRELIMINARY STAFF FINDINGS: The appearance and functionality of the proposed addition is consistent with the existing use and DLM's longstanding tradition of being on the cutting edge of providing its customers with unparalleled quality and service.

PLANNING COMMISSION FINDINGS: SUSTAINED

- D. Minimum Impacts to Surrounding Land Uses – The spatial and functional design minimizes the potential impacts of noise, light, debris, and other undesirable effects of development upon adjoining properties and the area in general.

PRELIMINARY STAFF FINDINGS: The proposed addition should not have an adverse impact on neighboring residential properties. The proposed drive thru window is more than 110 feet from the rear of the residential properties to the east.

PLANNING COMMISSION FINDINGS: SUSTAINED

- E. Architectural Compatibility – The plan is sensitive in the design of structures through appropriate treatment to vertical and horizontal planes of building facades and makes use of appropriate building materials in establishing an overall architectural "theme" for the development.

PRELIMINARY STAFF FINDINGS: The proposed addition will match the existing architecture and building materials. (brick veneer and CMU)

PLANNING COMMISSION FINDINGS: SUSTAINED

- F. Signage – Signage is designed compatible in scale and character with the overall development.

PRELIMINARY STAFF FINDINGS: The only signage for the proposed addition is a DLM sign above the new rear access doors.

PLANNING COMMISSION FINDINGS: SUSTAINED

- G. Site Access – Access to the site is designed to safely and efficiently facilitate ingress and egress. The use of shared curb-cuts and cross-access easements should be provided when appropriate.

PRELIMINARY STAFF FINDINGS: The proposed addition will continue to encourage primary access to the building from the east parking lot. Following discussions between DLM and PNC officials there is an agreement that the access lane along the south side of DLM will be converted to one way – eastbound.

PLANNING COMMISSION FINDINGS: SUSTAINED

- H. Vehicle Circulation and Parking – Adequate provision has been made for traffic circulation which is coordinated with, and minimizes impacts to the adjoining street system. The plan should also demonstrate the provision of safe and convenient off street parking and loading areas. When appropriate, cross-access easement should be provided between adjoining properties to allow for expanded onsite circulation of vehicles.

PRELIMINARY STAFF FINDINGS: Traffic flow within the parking lot itself will be unchanged. Users of the drive-thru window will enter from either the cruise lane at the front of the building or from the rear parking lot and exit either to the south onto East Drive or to the north onto Claranna Avenue. The existing salt pallets stacked along the south side of DLM will be relocated to facilitate traffic flow.

PLANNING COMMISSION FINDINGS: SUSTAINED

- I. Pedestrian Circulation – Adequate provision has been made to ensure that the development will not create hazards to the safety of pedestrian traffic on or off the site, vehicular or pedestrian circulation paths, or undo interference and inconvenience pedestrian travel.

PRELIMINARY STAFF FINDINGS: The majority of DLM customers will continue to park behind the store and enter through the new access doors on the southeast side of the building.

PLANNING COMMISSION FINDINGS: SUSTAINED

- J. Utilities and Community Facilities – Reasonable provision has been made to ensure the development will be served by essential public facilities and services such as police and fire protection, drainage structures, refuse disposal, public water supply, water waste collection, and related facilities.

PRELIMINARY STAFF FINDINGS: Utilities and community facilities such as refuse collection, police and fire protection, etc., will not be impacted by the proposed addition. There is no increase in impervious surface so the existing infrastructure is adequate to handle drainage.

PLANNING COMMISSION FINDINGS: SUSTAINED

- K. Screening and Landscaping – The arrangement and selection of landscaping materials should reinforce functional use areas of the site as well as add natural beauty. Screening in the form of fences, walls and landscaping should minimize the potential for nuisance impact to surrounding properties.

PRELIMINARY STAFF FINDINGS: There are no additional screening or landscaping enhancements proposed to screen the addition as staff believes the existing vegetation screen and privacy fence along the east property line is adequate.
 PLANNING COMMISSION FINDINGS: SUSTAINED

- L. Lighting – Onsite lighting shall provide for adequate illumination for vehicles and pedestrian safety. Lighting should not be permitted to illuminate adjoining properties.

PRELIMINARY STAFF FINDINGS: There will be an overhead canopy light above the entrance doors and dual wall sconces will be located at the rear entrance, the drive thru window and garage door. The DLM sign above the rear access doors will be halo lit.
 PLANNING COMMISSION FINDINGS: SUSTAINED

- M. Detention and Retention Facilities – When appropriate, detention and retention facilities should be designed to provide for shared storage between properties. Detention and Retention facilities should be appropriately landscaped.

PRELIMINARY STAFF FINDINGS: As already mentioned, the existing infrastructure is adequate to handle the drainage.
 PLANNING COMMISSION FINDINGS: SUSTAINED

Therefore, it was moved by Mrs. Gowdy and seconded by Mrs. Jackson that application #13-5, to extend a non-conforming use with a 600 square foot addition on the southeast corner of the building be approved as presented.

Upon call of the roll on the question of the motion, the following vote was recorded:

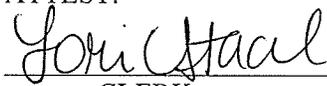
MR. ANDREW AIDT YEA
 MRS. HARRISON GOWDY YEA
 MRS. E. HEALY JACKSON YEA
 MR. STEVE BYINGTON YEA

There being four (4) yea votes and no (0) nay votes thereon, said motion was declared duly carried and it was so ordered.

There being no further business, the Planning Commission adjourned. The public meeting concluded at 4:50 pm.


 CHAIR

ATTEST:


 CLERK